

11-28-01

A  
Seq: 11/16/01**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.

ISPH-0617

Total Pages in this Submission

**TO THE ASSISTANT COMMISSIONER FOR PATENTS**

Box Patent Application

Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**ANTISENSE MODULATION OF SHH EXPRESSION**

and invented by:

**Bennett and Cowser**If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 89 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☐ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☐ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

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## Application Elements (Continued)

3. ☐ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☐ Formal      b. ☐ Informal      Number of Sheets \_\_\_\_\_
4. ☒ Oath or Declaration
- a. ☐ Newly executed (original or copy)      ☒ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney      ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☒ Genetic Sequence Submission (if applicable, all must be included)
- a. ☒ Paper Copy
- b. ☒ Computer Readable Copy
- c. ☒ Statement Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

8. ☐ Assignment Papers (cover sheet & documents)
9. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☒ Information Disclosure Statement/PTO-1449      ☒ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class      ☒ Express Mail (Specify Label No.): EL722985120US

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
ISPH-0617

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## Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Small Entity Statement(s) - Specify Number of Statements Submitted: \_\_\_\_\_
17. ☒ Additional Enclosures (please identify below):

USPTO Credit Card Payment Form

## Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

## Warning

**An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.**

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
ISPH-0617

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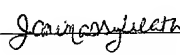
## Fee Calculation and Transmittal

### CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	20	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	2	- 3 =	0	x \$42.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$370.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$370.00

- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 50-1619 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: November 16, 2001

  
Signature

Jane Massey Licata  
Reg. No. 32,257  
Licata & Tyrrell P.C.  
66 E. Main Street  
Marlton, NJ 08053  
Tel: 856-810-1515  
Fax: 856-810-1454

CC:

ISPH-0617

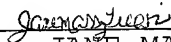
CERTIFICATE OF EXPRESS MAILING

"Express Mail" Label No. **EL722985120US**

Date of Deposit November 16, 2001

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R 1.10 on the date indicated above and is addressed to the "BOX Sequence", Assistant Commissioner for Patents, Washington, D.C. 20231.

- 1) Patent Application Transmittal Letter (2 copies);
- 2) Application consisting of 89 pages of Specification, including two (2) pages of Claims, and one (1) page of Abstract;
- 3) Return Post Card;
- 4) Credit Card Payment Form in the amount of \$370.00;
- 5) Unexecuted Declaration and Power of Attorney;
- 6) Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§1.821-1.825;
- 7) Sequence listing; and
- 8) Diskette containing computer readable copy of Sequence Listing.



JANE MASSEY LICATA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: ISPH-0617  
Inventors: Bennett and Cowsert  
Serial No.: Not yet assigned  
Filing Date: Herewith  
Examiner: Not yet assigned  
Group Art Unit: Not yet assigned  
Title: Antisense Modulation of SHH Expression

"Express Mail" Label No. EL722985120US

Date of Deposit - November 16, 2001

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

By Jane Massey Licata  
Typed Name: Jane Massey Licata, Reg. No. 32,257

**BOX SEQUENCE**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE  
WITH 37 CFR §§ 1.821 THROUGH 1.825**

- (XX) I hereby state, in accordance with the requirements of **37 C.F.R. §1.821(f)**, that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with **37 CFR §1.821(c)** and **(e)**, respectively are the same.
- ( ) I hereby state that the submission filed in accordance with **37 CFR §1.821(g)** does not include new matter.
- ( ) I hereby state that the submission filed in accordance with **37 CFR §1.821(h)** does not include new matter or go beyond the disclosure in the international application as filed.

- ( ) I hereby state that the amendments, made in accordance with **37 CFR §1.825(a)**, included in the substitute sheet(s) of the Sequence Listing were made to conform with the current Sequence Listing rules. I hereby state that the substitute sheet(s) of the Sequence Listing does not include new matter.
- ( ) I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(b)**, is the same as the amended Sequence Listing.
- ( ) I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(d)**, contains identical data to that originally filed.

Respectfully submitted,

*Jane Massey Licata*

Jane Massey Licata  
Registration No. 32,257

Date: November 16, 2001

Licata & Tyrrell P.C.  
66 E. Main Street  
Marlton, New Jersey 08053

(856) 810-1515

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: ISPH-0617  
Inventors: Bennett and Cowser  
Serial No.: Not yet assigned  
Filing Date: November 16, 2001  
Examiner: Not yet assigned  
Group Art Unit: Not yet assigned  
Title: Antisense Modulation of SHH Expression

I, Jane Massey Licata, Registration No. 32,257, certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

On this date: November 23, 2001

Jane Massey Licata  
Jane Massey Licata, Registration No. 32,257

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Statement to Support Attempted Express Mailing

On November 16, 2001, I, Jane Massey Licata deposited U.S. Utility Patent Application Attorney Docket No. ISPH-0618 with the United States Post Office in Marlton, NJ with Express Mail Label EL722985120US. The Express Mail package was returned to sender on November 20, 2001.

I hereby declare that the statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

*Receipt date granted  
is 11/16/01.  
J. Chang*



Attorney Docket No.: ISPH-0617

Inventors: Bennett and Cowser

Serial No.: Not yet assigned

Filing Date: November 16, 2001

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Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application and any patent issuing thereon, or any patent to which this verified statement is directed.

Jane Massey Licata  
Jane Massey Licata  
Licata & Tyrrell P.C.  
66 East Main Street  
Marlton, NJ 08053

November 23, 2001  
Date